

REMARKS

In the Office Action, it was indicated that claims 1, 13 and 21 are generic and allowable, and that claims 3-5, 8-12, 14, 17-20, 22 and 25 are no longer withdrawn from consideration since all of the claims to the species depend from or otherwise include each of the limitations of allowed generic claim.

Claims 26 and 27 were rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter, which Applicants regard as the invention. In particular, the phrase "significant amount of energy" was said to be ambiguous since this phrase was never quantified by any means within the original disclosure.

With the present amendment, claim 26 has been amended to change "significant amount" to "measurable amount".

The term "measurable amount" is definite since the public will be able to determine if they infringe the claim simply by determining if their adhesive layer absorbs a measurable amount of energy. Since the limits of claim 26 are now knowable to the public, amended claim 26 is definite.

Claims 26-29 were also rejected under 35 U.S.C. § 112 first paragraph as failing to comply with the written description requirement. In particular, for claim 26, it was stated that the specification does not describe an adhesive layer that is incapable of absorbing a "significant amount of energy". For claim 28, the Office Action stated that the original application was completely silent with respect to an adhesive layer that has no dampening characteristics. In addition, the Office Action asserted that the original application actually seems to refute this limitation because it uses a polyimide-based liquid adhesive or liquid polyimide layer and it is well known that polyimide layers are often used for their physical elastic dampening

properties.

Although the specification does not explicitly state that the adhesive does not absorb a measurable amount of energy and does not explicitly state that the adhesive layer does not measurably dampen motion of the suspension, these functional characteristics of the adhesive are inherent in the design of the suspension of the present invention because of the thinness of the adhesive layer described in the specification. Specifically, because the adhesive layer described in the specification is so thin, the adhesive layer does not absorb a measurable amount of energy and does not measurably dampen motion of the suspension.

The fact that the application lists a polyimide-based liquid adhesive or liquid polyimide layer as the adhesive layer does not mean that the original application refutes the newly cited limitations. As is well known in the art, the thickness of a polyimide layer determines its dampening properties. Very thick polyimide layers dampen more than thin polyimide layers since it is the sheering of the polyimide across the thickness of the material that dampens motion. Under the present invention, the adhesive layer is so thin that the adhesive layer does not measurably dampen motion of the suspension and does not absorb a measurable amount of energy. These characteristics of the adhesive layer in the present invention are inherent to an adhesive layer of this thickness and as such are supported by the specification's description of the thickness of the adhesive layer in the present invention.

In light of the above remarks, claims 26-29 are enabled and definite under 35 U.S.C. § 112. Reconsideration and allowance of claims 26-29 is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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